

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

HOLLYWOOD CITIZEN NEWS
OPERATING COMPANY, LLC, and
HOLLYWOOD CITIZEN NEWS F&B,
LLC,

Plaintiffs,

v.

TEN FIVE HOSPITALITY LLC, and DAN
DALEY,

Defendants.

DAN DALEY, TEN FIVE HOSPITALITY
LLC and 1545 F&B MANAGER LLC,

Counterclaim Plaintiffs,

v.

HOLLYWOOD CITIZEN NEWS
OPERATING COMPANY, LLC,
HOLLYWOOD CITIZEN NEWS F&B,
LLC, RELEVANT HOSPITALITY LLC, and
ZHAOXU CHEN a/k/a VINCENT CHEN,

Counterclaim Defendants.

CASE NO.: 2:23-cv-01126-APG-DJA

**JOINT STATUS REPORT ON STAY OF
PROCEEDINGS PENDING
SETTLEMENT**

AND

**STIPULATION AND ORDER TO
FURTHER STAY THESE
PROCEEDINGS**

Plaintiffs and Counterclaim Defendants Hollywood Citizen News Operating Company, LLC, Hollywood Citizen News F&B, LLC, Relevant Hospitality LLC, and Zhaoxu Chen a/k/a Vincent Chen, (collectively, the “HCN Parties”), and Defendants and Counterclaim Plaintiffs, Ten Five Hospitality LLC, 1545 F&B Manager LLC, and Dan Daley (collectively, the “Ten Five Parties,” and, together with the HCN Parties, the “Parties”), respectfully submit this Joint Status Report and Stipulation and Order to Further Stay These Proceedings:

1. On January 31, 2024, after conducting an in-person mediation and engaging in further settlement discussions, the Parties reached agreement on a settlement in principle resolving all causes of action brought by the Parties in this litigation.

2. The Parties also agreed that a stay of all proceedings in this action for a period of thirty (30) days was necessary to enable the Parties to focus their efforts on preparing and executing

1 a binding, final settlement agreement that will dispose of this case in its entirety. *See* ECF No.
2 100 (the “First Stipulation”).

3 3. The Court approved the Parties’ requested stay by Order dated February 2, 2024.
4 *See* ECF No. 101 (the “First Stay Order”).

5 4. On March 4, 2024, the Parties submitted a Joint Status Report on Stay of
6 Proceedings Pending Settlement and Stipulation and Order to Further Stay These Proceedings,
7 reporting that the Parties were continuing to work diligently and in good faith to prepare the
8 necessary documents to finally resolve this matter, inclusive of a binding, final settlement
9 agreement, and agreeing subject to the Court’s approval that the Parties would benefit from a
10 continuation of the stay for an additional thirty (30) days. *See* ECF Nos. 102 & 103 (the “Second
11 Stipulation”).

12 5. On March 5, 2024, the Court approved the Second Stipulation and issued a Minute
13 Order “[g]ranting [the] Stipulation to Stay Case” ordering that the “[c]ase is stayed until further
14 order of this court.” *See* ECF No. 104 (the “Second Stay Order”).

15 6. On April 12, 2024, the Court issued an Order directing the parties to file, by April
16 19, 2024, a stipulation to dismiss this action or a joint status report. *See* ECF No. 105.

17 7. On April 17, 2024, the Parties submitted a Joint Status Report on Stay of
18 Proceedings Pending Settlement and Stipulation and Order to Further Stay These Proceedings,
19 reporting that they were continuing to work diligently and in good faith to prepare the necessary
20 documents to finally resolve this action, inclusive of a binding, final settlement agreement, and
21 that substantial progress had been made. *See* ECF Nos. 106 & 107 (the “Third Stipulation”).

22 8. The Parties also agreed, subject to the Court’s approval, that the Parties would
23 benefit from a continuation of the stay for an additional thirty (30) days. *Id.*

24 9. The Court approved the Third Stipulation by Order dated April 18, 2024, extending
25 the stay for an additional thirty (30) days. *See* ECF No. 108 (the “Third Stay Order”).

26 10. On May 17, 2024 the Parties submitted a Joint Status Report on Stay of Proceedings
27 Pending Settlement and Stipulation and Order to Further Stay These Proceedings (the “Fourth
28 Stipulation”) reporting that they were continuing to work diligently and in good faith to prepare

1 the necessary documents to finally resolve the claims in this action, as well as the claims in (A) a
2 related action pending in Los Angeles Superior Court captioned *Ten Five Hospitality LLC et al. v.*
3 *Relevant Group LLC et al.*, No. 23STCV00738 (L.A.S.C.); (B) a related action pending in the
4 federal district court for the Central District of California, captioned *Ten Five Hospitality LLC et*
5 *al v. Hollywood Cahuenga Restaurant LLC*, 2:23-cv-00957-SVW-RAO; and (C) five separate
6 related proceedings before the United States Patent and Trademark Office's Trademark Trial and
7 Appeal Board, respectively captioned (i) *Relevant Group LLC v. Ten Five Hospitality LLC*,
8 Opposition No. 9128324; (ii) *Relevant Group LLC v. Ten Five Hospitality LLC*, Opposition No.
9 91283339; (iii) *Relevant Group LLC v. Ten Five Hospitality LLC*, Opposition No. 91287933; (iv)
10 *Relevant Group LLC v. Ten Five Hospitality LLC*, Opposition No. 91288503; and (vi) *Relevant*
11 *Group LLC v. Ten Five Hospitality LLC*, Opposition No. 91288999. See ECF Nos. 112 & 113.

12 11. The Court approved the Fourth Stipulation by Order dated May 20, 2024, extending
13 the stay for an additional thirty (30) days. See ECF No. 114 (the "Fourth Stay Order").

14 12. The Parties remain in communication on a near-daily basis concerning settlement
15 terms and have exchanged multiple drafts of all documents contemplated to resolve their disputes
16 across the litigations, including a draft settlement agreement contemplated between nineteen (19)
17 separate parties with fourteen (14) exhibits, several of which are independent complex commercial
18 agreements between subsets of the parties to the contemplated settlement agreement.

19 13. The Parties respectfully submit this Joint Status Report on Stay of Proceedings
20 Pending Settlement and Stipulation and Order to Further Stay These Proceedings to update the
21 Court that they are continuing to work diligently and in good faith to prepare the necessary
22 documents to finally resolve this matter and that substantial progress continues to be made with
23 respect to the limited issues that remain under discussion.

24 14. In light of the foregoing, the Parties would benefit from a continuation of the stay
25 for an additional thirty (30) days.

26 15. Accordingly, the Parties stipulate and agree, subject to the Court's approval, that
27 within thirty days following entry of the Court's order approving this stipulation and continuing
28

1 the stay of these proceedings, the Parties shall file a notice of settlement or, if the final settlement
2 agreement has not been executed, a further joint status report.

3 16. No party will be prejudiced by the relief requested herein, and the Parties agree that
4 good cause exists for the foregoing relief as it is in the best interests of judicial efficiency and
5 preservation of judicial and party resources.

6 17. The Parties agree that nothing herein shall act as a waiver or alter the position of
7 any party to this action.

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1 THEREFORE, the Parties respectfully request that the stay of this action be continued for
2 an additional period of thirty (30) days from the entry of the Court's order approving this
3 stipulation.

4
5 **IT IS SO STIPULATED.**

6 Dated this 18th day of June 2024.

 Dated this 18th day of June 2024.

7 GARMAN TURNER GORDON LLP

 SNELL & WILMER L.L.P.

8 /s/ Dylan Ciciliano

/s/ V.R. Bohman

9 Dylan T. Ciciliano

 V.R. Bohman

10 Nevada Bar No. 12348

 Nevada Bar No. 13075

11 7251 Amigo Street, Suite 210

 Erin M. Gettel

12 Las Vegas, Nevada 89119

 Nevada Bar No. 13877

13 Tel: (725) 777-3000

 3883 Howard Hughes Parkway, Suite 1100

14 Fax: (725) 777-3112

 Las Vegas, NV 89169

15 -and-

 Tel: (702) 784-5200

 Fax: (702) 784-5252

16 KASOWITZ BENSON TORRES LLP

 -and-

17 Donald J. Reinhard (*pro hac vice*)

 PRYOR CASHMAN LLP

18 1633 Broadway

 Todd E. Soloway (*pro hac vice*)

19 New York, New York 10019

 Dyan Finguerra-DuCharme (*pro hac vice*)

20 Tel: (212) 506-1700

 Ross M. Bagley (*pro hac vice*)

21 Fax: (212) 506-1800

 Nicholas G. Saady (*pro hac vice*)

22 Attorneys for the HCN Parties

 7 Times Square

 New York, New York 10036-6569

 Tel: (212) 421-4100

 Fax: (212)-798-6306

 Attorneys for the Ten Five Parties

23 **ORDER**

24 IT IS SO ORDERED.

25 
 UNITED STATES JUDGE

26 DATED: June 19, 2024